



MONTANA STATE PRISON POLICIES AND PROCEDURES

Policy No.: MSP 4.2.202	Subject: INMATE SEPARATION NEEDS
Reference : DOC Policy 4.2.2, Special Needs Offenders	Page 1 of 4 plus 3 attachments
Effective Date : November 8, 1999	Revision Date: November 21, 2013
Signature: /s/ Leroy Kirkegard / Warden	

I. Purpose

It is the policy of Montana State Prison to provide procedures for housing, monitoring, reviewing, and tracking inmates identified as needing separation from other inmates. Staff must review and research all inmate claims of threats to the inmate's personal safety in determining separation needs.

II. DEFINITIONS

Separation Needs - means that a determination has been made that an inmate requires separation from the general inmate population and/or other specified inmate(s).

V. PROCEDURES

A. Separation Need Identification/Initial Action

1. Separation should be approved only when necessary for the safety and security of the institution, staff and/or inmates:
 - a. an inmate may notify any member of the staff of a perceived threat to his personal safety and the need to be separated from another inmate(s);
 - b. upon receiving a claim of a threat to an inmate's safety, and a request to be separated, unit staff must conduct a private interview with the inmate to acquire all supporting information available;
 - c. staff must document the claim and results of the investigation on an ***Incident Report form***;
 - d. if the inmate provides specific information concerning the nature or source of the threat or risk of harm, the Unit Management Team (UMT) must then research/inquire into the claim(s) and incident(s) surrounding the concerns;
 - e. If the situation involves an inmate from another unit, staff must contact that UMT. Each UMT must then interview the inmate(s) named from their unit and jointly decide if separation is necessary:
 - 1) there may be instances where there is a legitimate need to separate certain inmates (i.e., a court order, one inmate informed on another inmate or testified against him, etc.) and interviewing the inmate(s) named may cause more problems than if the separation need was just noted and the information remained confidential. If the UMT's believe that there are legitimate separation needs and agree that interviewing all inmates involved will cause problems or magnify the situation, interviews should not be conducted. The UMT should complete the ***Separation Needs form*** (see attached A - these forms are blue in color for easy identification in file folders) and process them with a classification report. In the event that interviews of inmates are not conducted, documentation must be included on the Separation Needs form supporting the decision not to conduct interviews;

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- 2) if the initial conclusion is that separation is necessary, each team must complete a Separation Needs form and a Classification Assessment for the involved inmates from the respective unit(s). They shall document in detail the reason for the separation. These forms shall be forwarded to the Classification Specialist for processing and will serve as documentation of the formal conclusion that there is support for the requested separation;
 - 3) if the UMT's disagree about the necessity for separation, the Unit Managers must discuss the case further with the Associate Warden of Housing; and
 - 4) if the Unit managers agree on a course of action the forms shall be forwarded to the Classification Specialist for processing and will serve as documentation of the formal conclusion that there is support for the requested separation.
- f. If the inmate who claims he is at risk is unwilling to provide specific information concerning the nature or source of the threat, or risk of harm, during the private interview, and refuses to remain in the unit, he shall be placed in Pre-Hearing Confinement/ Classification Decision (PHC/CD). Procedures and time frames must be followed as outlined in MSP Procedure 3.4.100, Pre-Hearing Confinement. The staff member placing the inmate in PHC/CD must fill out *Notification* and *Admission/Discharge Report* forms (attachment A and B):
- 1) There may be legitimate reasons why an inmate would initially withhold the names of inmates he claims are threatening him or other specific information. Within his first 72 hours in PHC/CD, unit staff must conduct a second private interview with the inmate in an attempt to get specific information about the threat;
 - 2) If the inmate still refuses to supply specific information or the claims prove to be without merit based on all available information, unit staff must either return the inmate to his present housing status, or reclassify him to another unit. Staff must document their decision in writing on the bottom portion of the *Notification* form or an *incident report*. If the inmate refuses to move to the housing unit designated by staff, and there is no merit to his claim disciplinary action may be initiated; and
 - 3) if the inmate has made prior false statements concerning alleged threats and staff have reason to believe the current allegations are without merit, immediate removal of the inmate from his current cell/room assignment may not be required. Unit staff must document their decision with the reasons for their actions in an *incident report* and file the report in the inmate's main and mini file.
- g. If an inmate needs to be separated from another inmate, it does not necessarily mean he is vulnerable or predatory. If information reveals that there is predatory or vulnerable behavior on the part of any inmate, that inmate's classification must be reassessed in accordance with MSP Procedure 4.2.200, Special Management of Atypical Inmates;
- h. When unit staff is reviewing an inmate for an assignment, they must determine if he has separation needs from another inmate on the work crew, education, and ensure that he is not assigned to an area that could jeopardize his safety or that of the inmate(s) he needs to be separated from; and
- i. When conducting classification reviews of all incoming inmates the MDIU Case Manager or designee must reference OMIS and the inmate's "dead" records files to determine whether or not the inmate has had previous or current valid separation needs from an inmate(s) who is currently at MSP or a contract or Regional facility.

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B. Follow up

1. When information is verified/confirmed that there is a need to separate an inmate from another inmate (or a group of inmates), staff must do one or more of the following:
 - a. consider having an intervention meeting with both inmates and members from the respective housing unit team if deemed appropriate;
 - b. remove the inmate from his current cell/housing assignment (i.e., an internal housing move or PHC/CD) to determine a more appropriate living location within the unit;
 - c. classify the inmate to another general population housing unit;
 - d. classify the inmate "Special Management;"
 - e. keep the inmate in his assigned cell/room/unit with closer observation; and
 - f. recommend transferring the inmate to another facility if appropriate placement cannot be provided at MSP.

C. Reviewing and Documenting Separation Needs

1. Active separation need cases shall be reviewed by the UMT at the inmate's regularly scheduled classification review or sooner if the need arises.
 - a. This review shall consist of:
 - 1) an interview with the inmate unless it would create further problems between the two inmates;
 - 2) research of the original incident; and
 - 3) discussion with the UMT where the other inmate(s) who pose the threat are housed.
 - b. If the UMT determines that the separation needs are still valid, they shall document that by:
 - 1) entering an "X" in the "Active Separation Needs" section on the *Classification Summary Sheet*;
 - 2) document that they have reviewed and they support continued separation between the inmates in the classification review comments; and

D. Removing Separation Needs

1. If it is determined at an inmate's classification review that his separation needs may no longer be valid, the UMT conducting the review shall contact the other involved UMT(s) to inform them that they are considering removal of the separation needs.
 - a. If they conclude that separation needs are no longer necessary each UMT must:
 - 1) complete a *Separation Needs form* and a *Classification Assessment* for the involved inmate(s) from their unit, entering an "X" in the YES space in the "Remove Separation Needs" section on the *Classification Summary sheet*, and documenting in detail the reason(s) for the removal of the separation needs on the Separation Needs form. These forms shall be forwarded to the Classification Specialist, and will serve as documentation of the formal conclusion that there is no longer support for the requested separation; and
 - 2) notify the inmates being reviewed that this is the case.
 - b. If the UMT's disagree about the necessity for removal of the separation needs, the Unit

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Managers must discuss the case with the Associate Warden of Housing.

- 1) if the Unit Managers agree on a course of action after meeting with the Associate Warden of Housing then the forms shall be completed and forwarded to the Classification Specialist for processing. The forms will serve as documentation that there is no longer support for the requested separation; and
 - 2) if the Unit Managers are unable to agree after meeting with the Associate Warden of Housing then they shall forward all information/documentation to the Administrative Review Committee for a final decision and be present for the review.
2. If during a classification review, a UMT discovers that the inmate being reviewed has a separation need from an inmate who has discharged or transferred to a community placement/program they will document that the other inmate has discharged or transferred to a community placement/program and In-Active Separation Needs will be selected on the *Separation Needs form*.

E. Master Separation Needs List

1. All separation will be kept in the OMIS Program and listed under the Associations menu and marked as separations needs. A complete report can be found in the Reports Menu of OMIS titled as Associations for all inmates within Secure Correctional Status.

VI. CLOSING

Questions concerning this policy will be directed to the Technical Correctional Services Bureau Chief.

V. Attachments

Separation Needs form	attachment A
Notification	attachment B
Admission / Discharge Report	attachment C

CONFIDENTIAL

SEPARATION NEEDS FORM

(Reference "Inmate Separation Needs" Policy – MSP 4.2.202)

NAME: _____ MSP/DOC# _____ UNIT: _____
 Last First

CUSTODY LEVEL: _____ DATE: _____

It is the policy of Montana State Prison to provide procedures for housing, monitoring, reviewing, and tracking inmates identified as needing separation from other inmates. Staff must research/inquire into all inmate claims of and threats to personal safety and a need for separation.

The above named inmate should be separated from or should be removed from the following inmate:

NAME: _____ MSP/DOC# _____ UNIT: _____
 Last First

☐ Separation Needs
(MSP 4.2.2002 page 2 & 4)

☐ Removal of Separation
(MSP 4.2.202 page 6)

Comments and detailed explanation of the separation needs, including date of incident(s), or reason for removal of separation needs:

Verified and investigated by: _____

Additional information in Institutional Investigator Office: ☐ Yes ☐ No

This form must be completed for all inmates named.

Blue Copy—Records (Inmate's Main File)

Blue Copy—Unit Mini-File

NOTIFICATION

LAST NAME

FIRST

AO#

Within a 72-hour period, an interview will be held addressing your present custody level and job assignment. You will be present at this hearing and have an opportunity to present evidence on your own behalf.

REASON FOR NOTICE: _____

DATE: _____ TIME: _____

INMATE SIGNATURE

STAFF SIGNATURES

DATE: _____ TIME: _____

RESULTS: _____

STAFF SIGNATURES

White – Main Records

Yellow – Unit File

Pink - Inmate

DOC ADMISSION / DISCHARGE REPORT

PLEASE PRINT FULL NAME:

LAST NAME FIRST NAME MIDDLE NAME ID DATE: TIME:

FROM UNIT AND ASSIGNMENT:

☐ MSP:
☐ Unit _____
Assignment _____
☐ MWP:
☐ Pod _____ **Cell** _____ **Bed** _____
☐ Regional Prison: _____
☐ Pod _____
☐ MASC _____
☐ Hospital _____
☐ Cond. Release _____
☐ OLTC _____
☐ MSH-WS _____
☐ Pre-Release _____

☐ ISP _____
☐ TSCTC-Trainee ☐ Probation
☐ Treatment Programs
☐ Transfer
☐ Escape ☐ Apprehended State:

☐ Parole Violator
☐ Probation Violator
☐ START Center
☐ In Transit
☐ New Inmate
☐ 10-Day Furlough _____
☐ Other _____

TO UNIT AND ASSIGNMENT:

☐ MSP:
☐ Unit _____
Assignment _____
☐ MWP:
☐ Pod _____ **Cell** _____ **Bed** _____
☐ Regional Prison: _____
☐ Pod _____
☐ MASC _____
☐ Hospital _____
☐ Conditional Release _____
☐ OLTC _____
☐ MSH-WS _____
☐ Pre-Release ☐ Inmate Worker _____

☐ ISP _____
☐ TSCTC-Trainee ☐ Probation
☐ Treatment Programs
☐ Transfer
☐ Escape ☐ Apprehended State:

☐ Release _____

☐ START Center
☐ In Transit

☐ 10-Day Furlough _____
☐ Other _____

CODE:

☐ DOC
☐ MSP
☐ MWP

☐ RPC
☐ CD**
☐ DD**

☐ HOLD

CUSTODY:

☐ MIN 2
☐ MIN 1
☐ MED 2
☐ MED 1
☐ CLOSE
☐ MAX
☐ AD SEG

☐ REST
AD SEG

****Notify the Infirmary and Mental Health when PHC , DD or CD**

Health Services clearance ☐ Yes ☐ No (If No, attach *Special Needs Treatment Plan*)

COMMENTS

:

STAFF MEMBER'S NAME / SIGNATURE: _____ / _____

It is mandatory that all ADR's are turned into the Placement/Movement Office when a move is made. All ADR's are filled out by the **sending unit with the exception of a jail hold & Infirmary, which will be filled out by the receiving unit.** Information must be complete with housing unit and job assignment number and including title.